

CIVIL DOCKET
UNITED STATES DISTRICT COURT

JUDGE DAUGHERTY
Jury demand date:

70-C-370

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
<p>CONTINENTAL INSURANCE COMPANY, a corporation PREFERRED RISK MUTUAL INSURANCE COMPANY, vs Interpleading Plaintiff</p> <p>JOE THOMPSON, THELMA THOMPSON, TONY THOMPSON and RICHARD McGUIRE</p>		<p>For plaintiff:</p> <p>Dan A. Rogers of Rogers, Rogers & Jones 1311 Petroleum Club Bldg. Tulsa, Okla., 74119 (583-5111) 74103</p> <p>Richard D. Gibbon 217 Pythian Bldg. Tulsa, Oklahoma 74103 585-5537</p> <p>For defendant: 584-3591 Jefferson G. Greer, 205 Pythian Bldg. Tulsa, Oklahoma 74103</p> <p><i>Relys</i> → Richard D. Gibbon, 217 Pythian Bldg. Tulsa, Oklahoma 74103 585-5537</p> <p>Bill Sellers (Thompsons) 224-5357 Box 457 Sapulpa, Okla. 74066</p>					
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.		
J.S. 5 mailed 12-1-27	Clerk	1970 11-30 Rogers 12-3-70 C.D. No 25 4-24-72 Greer 4-27-72 C.D. No. 48		15 00 5 00	15 00 5 00		
J.S. 6 mailed 5-1-72	Marshal						
Basis of Action: Prays for Declaratory Judgment	Docket fee						
	Witness fees						
Action arose at:	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-30-70	Complaint filed. v	
2-16-71	Stipulation, filed. m	
2-26-71	Application of pltf. to substitute Exhibit A, filed. m	
3-4-71	Order, that plaintiff is allowed to file Exhibit A-1 as a duplicate of the homeowners policy of insurance involved in the Complaint for a Declaratory Judgment. Filed. (AEB-J)r	
3-5-71	Amendment to complaint, filed. b	
3-8-71	Answer of defendant, Richard McGuire, to complaint of Continental Insurance Company, filed.	
3-8-71	Stipulation of Richard McGuire that he has no objection to allowing Preferred Risk Mutual Insurance Company to intervene, filed. b	
3-12-71	Motion of Preferred Risk Mutual Insurance Company to allow petition of interpleading plaintiff, filed. Proposed pet, of interpleader. Attached.	
3-12-71	Brief in support of the plaintiff intervention, filed. Attached to motion.	
3-17-71	Answer of defts. Joe Thompson, Thelma Thompson and Tony Thompson to complaint of Continental Ins. Co., filed. m	
3-17-71	Answer and cross claim of defts. Joe Thompson, Thelma Thompson, Tony Thompson, to petition of intervention of intervening pltf., Preferred Risk Mutual Ins. Co., filed. m <i>withdrawn</i>	
3-17-71	Ordered by the Court that the defendants Thompson are granted permission to withdraw their answer and cross -claim to petition of intervention plaintiff, Preferred Risk Mutual Ins. Co., for the reason it was filed prematurely. (Fred Daugherty - Judge) b	
3-24-71	Stipulation of defts. Joe, Thelma and Tony Thompson, filed. m	
3-29-71	Order that motion of Preferred Risk Mutual Insurance Company to interplead as party pltf. is sustained & allows interpleading complaint of said Ins. Co. to be filed, filed. (FD-J)m (copies mailed)	
3-29-71	Complaint of intervention, filed. m	
3-30-71	Answer of defts. Joe Thompson, Thelma Thompson and Tony Thompson to complaint of Continental Insurance Company	
3-30-71	Answer and Cross Claim of Defendant, Richard McGuire, to Petition of Intervention of Intervening Plaintiff, Preferred Risk Mutual Insurance Co. filed. h	
3-31-71	Answer and cross claim of defendants, Joe Thompson, Thelma Thompson, Tony Thompson, to complaint of intervention of Intervening plaintiff, Preferred Risk Mutual Insurance Company, filed. b	
5-14-71	Answer of Preferred Risk Mutual Insurance Co., Interpleading Plaintiff, to the Cross-Claim of Defendants Joe Thompson, Thelma Thompson, Tony Thompson and Richard McGuire, filed. js	
5-18-71	Ordered by the Court that this case is set for pre-trial on Thursday, June 10th, 1971 at 10:15 A.M. (Fred Daugherty - Judge) b	
6-10-71	Pre-Trial hearing held. Statements made. Parties represented. Pltf. to prepare brief within 15 days; Deft. directed to respond to brief in 15 days thereafter. Pltf. is to prepare the Pre-Trial Order and file. Case to be set on Non-Jury list. (FD-J)r	
q	(Bill Sellers was notified, but did not appear)	
6-24-71	Brief of plaintiff Continental Insurance Company, filed. ds	
6-30-71	Brief of preferred risk mutual insurance company, filed. v	
7-7-71	Trial BRIEF of Defendant, Richard McGuire, filed. v	
7-12-71	Pre-Trial Hearing Order, filed. (FD-J)r	
9-10-71	Plaintiff's Reply Brief, filed. v	
12-3-71	Case set for Non-Jury Trial on Tuesday, December 21, 1971 at 9:30 A.M. (FD-J)r	
12-17-71	Pltfs' Stipulation, filed. r	

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-21-71	Case called for Non-Jury trial. Parties represented. Court takes matter under advisement and will issue a memorandum opinion. (FD-J)r	
12-21-71	Pltfs. exhibits #1 thru #8, filed. (in exhibit room)r	
12-21-71	Intervenors exhibit No. 1, in exhibit room, r	
12-21-71	Defts. exhibits No. 1, in exhibit room.r	
3-29-72	Memorandum Opinion filed, stating Judgment must be entered in favor of the Pltf and Intervening Pltf. Counsel for Pltf will prepare an appropriate Judgment and submit the same to counsel for Intervening Pltf and opposing counsel and then to the Court for signature and entry herein, Filed. (FD-J)r (copies mailed to attys)	
4-10-72	Judgment filed and entered. Ordered that Pltf recover its costs in this action from the defts Joe and Thelma Thompson and Richard McGuire, and that Pltf-Intervenor recover its costs in this action against deft. Richard McGuire, Filed & Entered. (FD-J)r	
4-24-72	Notice of appeal by defts, filed. hm (copies to Clerk, USCA, and counsel)	
4-24-72	Bond for costs on appeal, filed; Richard McGuire, Surety. hm	
4-24-72	Stipulation, filed. hm	
4-24-72	Designation of record, filed. hm	
5-25-72	Appl for extension of time to file record on appeal filed by Defts, filed. r	
5-30-72	Order filed that Appellants are hereby granted an addition 30 days/Order from 6-3-72 (7-3-72) in which to transmit and file the record on appeal in this cause, filed. (FD-J)r (Copies mailed)	
6-21-72	Transcript of evidentiary proceedings held on 12/21/71, filed. rm	
6-28-72	Appeal record (2 vols.) sent to USCA. (Orig. + 3 cpies)g	
4-26-73	Mandate & Opinions of USCA, 10th Circuit, affirming judgment of 4-10-73, filed and spread of record.g	
5-9-73	Appeal record (2 vols.) rec'd from USCA. g	
7-16-73	Defts. application for refund of \$250 cash appeal bond, filed. g	
7-23-73	Order of Disbursement, filed, directing Clerk to disburse \$250.00 appeal bond to defts. (AEB-J)jj	

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